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8

9 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 BLUESTONE INNOVATIONS LLC,

13 Plaintiff,

14 v.

15 NICHIA CORPORATION and
16 NICHIA AMERICA CORPORATION,

17 Defendants.

Case No. 3: 12-cv-00059-SI (EDL)

**STIPULATION AND [PROPOSED] ORDER
CONTINUING THE MARKMAN HEARING**

Ctrm: 10, 19th Floor

Judge: Honorable Susan Illston

18 BLUESTONE INNOVATIONS LLC,

19 Plaintiff,

20 v.

21 LG ELECTRONICS, INC., LG ELECTRONICS
U.S.A., INC., BEST BUY CO., INC. BEST BUY
22 STORES, L.P., BESTBUY.COM, LLC, VIZIO,
INC. and ACER, INC., ACER AMERICA
23 CORPORATION,

24 Defendants.

Case No. 3:13-cv-01770-SI (EDL)

Pursuant to Civil L.R. 6-2 and 7-12, Nichia Corporation and Nichia America Corporation (collectively, “Nichia”), the named Defendants in *Bluestone Innovations v. Nichia Corporation*; Best Buy Co., Inc., Best Buy Stores, L.P., and BestBuy.com, LLC (collectively “Best Buy”), VIZIO, Inc. (“Vizio”), and Acer America Corp. (“Acer”), the named Defendants in the related case *Bluestone Innovations v. LG Electronics*¹; and Plaintiff Bluestone Innovations LLC (“Bluestone”), the Plaintiff in both cases; respectfully submit the following Stipulation and [Proposed] Order Continuing the Markman Hearing.

Nichia requested that the date of the *Markman* hearing be changed to June 4, 2014, and both Bluestone and the other Defendants have agreed to this proposed change. This stipulated request is supported by the Declaration of Kenneth A. Gallo in Support of Stipulation and [Proposed] Order Continuing the *Markman* Hearing (“Gallo Decl.”). In support of the stipulated request, Nichia states as follows:

1. The Court set the *Markman* hearing for May 28, 2014 at 3:30 p.m.

2. Counsel for Nichia will be unable to attend the *Markman* hearing as currently scheduled.

Gallo Decl. ¶ 2.

3. The parties request that the *Markman* hearing in the above captioned cases be set for June 4, 2014.

4. There have been four modifications in this case, either by stipulation or court order. Gallo Decl. ¶ 3.

For the foregoing reasons, the parties respectfully request that the Court enter an order that the *Markman* hearing in the above captioned cases be set for June 4, 2014.

¹ In view of the stipulation of dismissal filed today in *Bluestone Innovations v. LG Electronics* between Plaintiff Bluestone and Defendants LG Electronics, Inc., and LG Electronics U.S.A., Inc., LG does not join in this motion.

1 Dated: March 21, 2014

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22 By: /s/ Kenneth A. Gallo

23 *Attorneys for Defendants Nichia Corporation and*
24 *Nichia America Corporation*

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15 Dated: March 21, 2014

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13 Dated: March 21, 2014

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26 Best Buy Co., Inc., Best Buy Stores, L.P.,
and Bestbuy.com, LLC***

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FILER'S ATTESTATION
2

3 Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Kenneth A. Gallo, attest that concurrence
4 in the filing of this document has been obtained.
5

6 Dated: March 21, 2014
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8 _____/s/ *Kenneth A. Gallo*
9 KENNETH A. GALLO
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1 **IT IS SO ORDERED.** Markman set 6/4/14 at 3:30 p.m.
2 Dated: March , 2014



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The Honorable Susan Illston
United States District Judge

CERTIFICATE OF SERVICE

I certify that all counsel of record are being served on March 21, 2014 with a copy of this document via the Court's CM/ECF system at the email addresses below:

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/s/ Kenneth A. Gallo

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